



**RICHARD CORDRAY**  
OHIO ATTORNEY GENERAL

April 2, 2010

Mr. Daniel A. Brown, Esq.  
Brown Law Office  
204 S. Ludlow St., Suite 300  
Dayton, Ohio 45402

Re: Multi-Service Facility, Montgomery County

Dear Mr. Brown:

Thank you for speaking with me by telephone earlier this week about the referenced Facility. From our conversation, I understand you represent Multi-Service, Inc. and Mr. Melvin Tatman, and that the company is closing.

The Director of Ohio EPA has asked the Attorney General to file suit against Multi-Service, Inc., and others as necessary for violations of Ohio's hazardous waste laws at the referenced facility in Montgomery County. Generally, this office provides businesses with the opportunity to amicably resolve their problems with the State prior to our filing of a lawsuit. In accordance with this policy, I am offering Multi-Service, Inc. and Mr. Melvin Tatman the opportunity to negotiate an agreement that will be written in a consent order filed in Common Pleas Court along with a complaint. Any settlement with the State must be in the form of a consent order that includes a commitment by Multi-Service, Inc. and Mr. Melvin Tatman to a reasonable civil penalty and stipulated penalties to ensure future compliance with the terms of the settlement.

Settlement prior to, rather than after, filing a lawsuit can provide Multi-Service, Inc. and Mr. Melvin Tatman with a number of advantages. These advantages may include the following:

1. a lower civil penalty;
2. mutually agreeable compliance schedules which your company is able to meet;
3. reduced bills for attorneys fees;
4. reduced costs for depositions, witness fees, and other litigation/court costs;

**Environmental Enforcement**

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Mr. Daniel A. Brown, Esq.

April 2, 2010

Page 2 of 3

5. savings of your officer's and employee's time which otherwise may be lost in giving depositions, answering interrogatories, testifying at trial, and performing other litigation activities;
6. avoidance of impaired bond ratings and difficulty in obtaining loans due to potentially heavy losses resulting from the litigation; and,
7. avoidance of the adverse publicity inherent in contested litigation.

If you wish to take advantage of my offer to negotiate, I ask that you call or write by April 12, 2010. My phone number is (614) 466-2766. If I do not hear from you by that date, I will assume you do not wish to negotiate on behalf of Multi-Service, Inc. and Mr. Melvin Tatman. If you indicate your desire to negotiate, I will proceed to schedule a settlement meeting in order to initiate discussions of the issues.

Regardless of any potential future negotiations, this office expects Multi-Service, Inc. and Mr. Melvin Tatman to immediately comply with the following demands:

1. Properly dispose of hazardous waste in totes and drums,
2. Properly dispose of hazardous waste from the hazardous waste tank,
3. Properly characterize and dispose of waste from waste water treatment unit, equalization tanks, chemical mix tank, floor pit, trenching system and any other associated units,
4. Properly characterize and dispose of waste in the tank room including but not limited to: clean solvent tank; dirty solvent tank; sludge/used oil tank; clean solvent receiving tank; sludge receiving tank; water/solvent separator; sump pit; and floor of tank room,
5. Properly characterize and dispose of waste from all trenching at the facility,
6. Properly characterize and dispose of waste from the used oil extraction unit and associated trench,
7. Properly characterize and dispose of all waste rags and textiles inside and outside the building, and on trucks and trailers on site,
8. Properly characterize and dispose of all remaining wastes on site, and
9. Comply with all Cessation of Regulation Operations.

When we discussed the Facility earlier this week, you offered to provide financial information. Please provide the most recent 5 years audited annual financial reports including income statement, balance sheet, cash flow statement and notes to these financial reports for Multi-Service, Inc.; and the most recent 5 years federal and/or state income tax returns including all required forms and schedules for Multi-Service, Inc. and Mr. Melvin Tatman. Please understand that my request for financial information in no way alleviates the demands on Multi-Service, Inc. and Mr. Melvin Tatman to complete the above enumerated objectives.


Mr. Daniel A. Brown, Esq.  
April 2, 2010  
Page 3 of 3

Please understand that I cannot continue negotiations indefinitely before filing. The United States Environmental Protection Agency requires the State to take timely enforcement action under its delegated hazardous waste program. Finally, prolonging negotiations also unfairly leaves Multi-Service, Inc. and Mr. Melvin Tatman with the large unresolved liability of threatened litigation in the meantime.

Should you wish to negotiate, I will notify you of the date by which I expect to conclude settlement discussions. If we have not finalized a consent order by that time, I will seek approval to file a lawsuit.

I look forward to hearing from you.

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Sincerely,

A handwritten signature in black ink, appearing to read "Brian A. Ball". The signature is fluid and cursive, with the first name "Brian" and last name "Ball" being more prominent than the middle initial "A.".

Brian A. Ball  
Assistant Attorney General  
Environmental Enforcement Section